

Alexander W. Moore  
Regulatory Counsel

185 Franklin Street  
13<sup>th</sup> Floor  
Boston, MA 02110-1585

Phone 617 743-2265  
Fax 617 737-0648  
alexander.w.moore@verizon.com

BY HAND

May 28, 2003

Mary L. Cottrell, Secretary  
Department of Telecommunications & Energy  
Commonwealth of Massachusetts  
One South Station, 2<sup>nd</sup> Floor  
Boston, Massachusetts 02110

**Re: Fiber Technologies Networks, LLC v. Verizon Massachusetts, et al.  
Docket No. 03-56.**

Dear Ms. Cottrell:

Enclosed for filing in the above-captioned matter are the following documents:

1. Answer of Verizon Massachusetts;
2. Verizon Massachusetts' Motion to Dismiss;
3. Verizon Massachusetts' Memorandum of Law in Support of its Motion to Dismiss; and
4. Appendix of Verizon Massachusetts.

Verizon Massachusetts requests that the Department rule on the Motion to Dismiss before taking any further action in this matter. The motion establishes that Fibertech is not entitled to any relief, and its complaint should be dismissed. In the event that the Department does not agree, however, Verizon MA asks the Department to schedule a pre-hearing conference expeditiously, in order to:

- define the scope of the issues to be determined in this proceeding; and

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- establish a schedule for this case, including deadlines for Fibertech to file its testimony; for the completion of discovery on that testimony, which may be extensive given the nature of Fibertech's claims; for Verizon MA to file its rebuttal testimony; and for evidentiary hearings.

Thank you for your prompt attention to this matter.

Sincerely,

/s/Alexander W. Moore

Alexander W. Moore

Enclosures

cc: Jesse Reyes, Esq.  
Michael Isenberg, Director-Telecommunications Division  
Service List

cottrell-03-56-05-28-03